

MINUTES OF THE HOWARD COUNTY PLANNING BOARD – May 10, 2007 P.M.

Members Present: Tammy CitaraManis, Chairperson; David Grabowski, Vice-Chair; Linda Dombrowski; Gary Rosenbaum; Ramsey Alexander, Jr.

Members Absent:

DPZ Staff Present: Marsha McLaughlin; Roberta Jackson; Cindy Hamilton; Tanya Maenhart; Kent Sheubrooks

Pre-Meeting Minutes

The Board discussed the process for the upcoming Rules of Procedures hearing. Ms. McLaughlin stated the concerns of several citizen groups as well as some of the Council to have an open discussion on the Rules of Procedures prior to the formal hearing. The Board discussed agendas for upcoming meetings in June as well as the sign-in procedures for the May 24, 2007 public meeting.

Minutes

Mr. Grabowski moved to approve the minutes of February 15, 2007 and Mr. Rosenbaum seconded the motion. 4 Yea, 0 Nay. Mr. Alexander abstained from the vote.

Ms. Dombrowski moved to approve the minutes of March 22, 2007 and Mr. Grabowski seconded the motion. 4 Yea, 0 Nay. Ms. Dombrowski and Mr. Alexander abstained from the vote.

Ms. Dombrowski moved to approve the minutes of March 29, 2007 and Mr. Grabowski seconded the motion. 4 Yea, 0 Nay. Ms. CitaraManis and Mr. Alexander abstained from the vote.

PUBLIC MEETING

Ms. CitaraManis opened the public meeting at approximately 7:02 p.m.

SITE DEVELOPMENT PLANS

SDP-07-042, Maple Lawn Farms

Presented By: Kent Sheubrooks

Petition: For approval of a Site Development Plan for the construction of 144 multi-family stacked townhouse condominium dwelling units and other related site improvements in accordance with Section 127.F.1 of the Howard County Zoning Regulations. The site area is approximately 5.96 acres of the 605.3 acre total tract area for Maple Lawn Farms and is zoned "MXD-3" (Mixed Use Development) and is located southwest corner of Maple Lawn Boulevard and Iager Boulevard, identified as Parcel "A-14" on Tax Map 41, Grid No. 21 in the Fifth Election District of Howard County, Maryland.

DPZ Recommendation: Approval

Petitioner's Representative: Mike Tran, Gutschick, Little and Weber

Mr. Sheubrooks gave a brief overview of the proposed plan for townhouses and other site improvements in the Maple Lawn Farms development's Midtown Districts. He explained development projects that will be forthcoming on adjacent parcels.

Mike Tran of GLW, the consultant, presented the Board with more detailed plans, showing parking and access areas.

Motion:

Mr. Ramsey moved to approve the Maple Lawn Farms SDP-07-042 and Mr. Grabowski seconded the motion.

Discussion:

Mr. Grabowski stated his agreement with staff that the plan is consistent with the Preliminary Development and the Comprehensive Sketch Plan.

Mr. Rosenbaum stated that the plan meets the required criteria.

Vote:

5 Yea 0 Nay.

SDP-06-128 Benson East – Ryland Homes

Presented By:

Tanya Maenhardt

Petition:

For approval of a Site Development Plan for the construction of 66 single-family attached condominium units on 9.36 acres of land zoned New Town (NT) in accordance with Final Development Plan 240. Applicant is also seeking a reduction in the required 30' setback from the right-of-way of any public street for structures located upon lots devoted to attached land uses. The subject property is located on Old Waterloo Road in the Sixth Election District of Howard County, Maryland.

DPZ Recommendation:

Approval

Petitioner's Representative:

Tim Madden, Morris, Ritchie and Associates

Ms. Maenhardt gave a brief summary of the proposed plan to construct condominiums as well as site improvements at the Benson East, Gateway Overlook development. She also explained the Petitioner's request for a setback reduction from the right-of-way.

Mr. Rosenbaum questioned the limits of disturbance and their impact on open space parcel Q. Ms. Maenhardt explained that there are stormwater management areas on parcel Q, however they are outside the limits of the buffers for the streams and wetlands and do not impact the flood plain.

Ms. CitaraManis asked whether a setback reduction would be needed if the State were to surplus excess right-of-way. Ms. Maenhardt explained that in order to the State would take a year or more to identify unceded land and complete transfer to the developer.

Mr. Rosenbaum asked if the County had any discussions with State Highway regarding this matter. Ms. Maenhardt explained that the developer had some discussions with State Highway when the plan was submitted.

Tim Madden of Morris, Ritchie and Associates, speaking on behalf of the Ryland Group, stated that the site is constrained and that the plan was designed so as not to impact environmental features, which resulted in a need to request a reduction in setback. He also explained that landscaping was increased along Waterloo Road.

Mr. Rosenbaum questioned the lack of comment regarding noise walls for I-95. Mr. Tom Neugebauer of Morris, Ritchie and Associates stated that a noise study was submitted with the site development plan and that he is proposing a noise wall parallel to the Route 175 ramp. Mr. Rosenbaum asked if the wetlands on parcel Q were looked at for stormwater management, as opposed to constructing all new stormwater management. Mr. Madden explained that under the regulations you cannot discharge untreated water into natural wetlands.

Ms. Loretta Jacobi of 6585 Deep Run Parkway, ElkrIDGE Maryland spoke in opposition of the plan stating her desire for a senior center on the subject parcel and her concern that residential construction would change the character of the neighborhood.

Ms. Bridget Mugane of 9250 Red Cart Court, Columbia Maryland spoke in opposition to the plan stating her concern that there was not adequate notice for a pre-submission meeting regarding this development. She also questioned requirements for affordable housing and green building.

The Board asked for clarification regarding requirements for notification of development. Ms. McLaughlin explained that the notification requirements were met for the public hearing on the Comp Sketch Plan for the subject parcel and that this particular case only required a public meeting and therefore a legal advertisement in the paper was not required.

Motion:

Ms. Dombrowski moved to approve the staff report SDP-06-28 as written and Mr. Alexander seconded the motion.

Discussion:

Mr. Alexander stated his belief that the approval should be contingent upon the Maryland State Highway Administration conveying the right-of-way to Howard County or at least a letter to that effect.

Mr. Grabowski disagreed stating that Old Waterloo Road is a local, dead end road with low traffic counts and that the developer should be granted approval to reduce the setback.

Mr. Rosenbaum stated his agreement and that waiting for State Highway to convey a right-of-way would put an unnecessary hardship on the developer. He also stated that the plan was laid out well with respect to the environmental features.

Ms. Dombrowski stated that there was community involvement for the commercial development of the property and that the Board did ask for townhouse development because apartment use was too intense. She also stated that the function of Old Waterloo Road is a local, dead end road.

Vote:

4 Yea 0 Nay. Mr. Alexander abstained from the vote.

PUBLIC HEARING

Ms. CitaraManis opened the public hearing at approximately 8:55 p.m.

Planning Board Rules of Procedures Updates

Ms. McLaughlin explained the process for public testimony regarding proposed changes to the Planning Board's Rules of Procedures. She also stated that the Rules of Procedures were being updated in order to be more consistent with other Board's such as Zoning Board, Board of Appeals, etc.

Testimony:

Grace Kubofcik, Co-Chair of the League of Women Voter's in Howard County spoke regarding several proposed changes to the Rules of Procedures supporting items such as certification requirements by an absent Board member and that the Chairperson scheduled the meetings and not

the Executive Secretary. She stated concerns with the proposed language for “motions” and “correspondence” and also in the Fraud, Mistake or Change section.

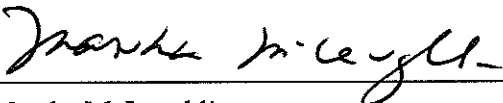
Lloyd Knowles of 5561 Suffield Court, Columbia testified, asking that the Rules of Procedures be tabled until several citizen groups, such as HCCA, the County Council and the League of Women Voters, has a chance to review the proposed procedures. He stated that in his opinion most of the changes were highly legalistic going in the wrong direction as far as public involvement, which would be better served by a more open and informal forum for citizen input.

Alan Klein of 11006 Woodells Way, Columbia stated his agreement with the previous testimony and his concern regarding the notice for the hearing on Rules of Procedures, which didn't specify the proposed changes or rationale. He also stated that the proposed changes give the impression that the public has too much say.

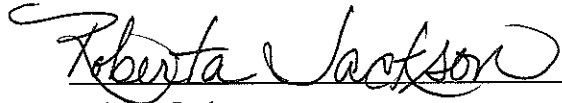
Bridget Mugane speaking on behalf of the Howard County Citizens Association stated her concern that there were no explanations given regarding the proposed changes.

Ms. CitaraManis stated that the record would remain open to allow for citizen comment until June 21st, 2007. Ms. CitaraManis closed the public hearing at approximately 9:45 p.m.

THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT APPROXIMATELY 9:45 P.M.



Marsha McLaughlin
Executive Secretary



Roberta Jackson
Recording Secretary